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Human rights questions: human rights situations and reports of special rapporteurs and representatives

Andorra, Austria, Belgium, Canada, Costa Rica, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, San Marino, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, and the United States of America: draft resolution

The situation of human rights in the Islamic Republic of Iran

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights,[1] the International Covenants on Human Rights[2] and other human rights instruments,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and fulfil the obligations they have undertaken under the various international instruments in this field,

Mindful that the Islamic Republic of Iran is a party to the International Covenant on Civil and Political Rights,[2] the International Covenant on Economic, Social and Cultural Rights,[2] the International Convention on the Elimination of All Forms of Racial Discrimination[3] and the Convention on the Rights of the Child,[4]

Recalling its previous resolutions on the subject, the most recent of which is resolution 55/114 of 4 December 2000, and taking note of Commission on Human Rights resolution 2001/17 of 20 April 2001,[5]

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[1] Resolution 217 A (III).
[2] Resolution 2200 A (XXI), annex.
[3] Resolution 2106 A (XX), annex.
[4] Resolution 44/25, annex.
[5] See *Official Records of the Economic and Social Council, 2001, Supplement No. 3* (E/2001/23), chap. II, sect. A.

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1. *Welcomes*:

(a) The interim report of the Special Representative of the Commission on Human Rights on the situation of human rights in the Islamic Republic of Iran;[6]

(b) The broad participation of the electorate in the presidential elections held in June 2001, which expressed the true commitment of the Iranian people to the democratic process in the Islamic Republic of Iran;

(c) The reports that religion will no longer be requested in the registration of births, marriages, divorces or deaths;

(d) The positive developments regarding the situation of Iranian children in the fields of education, health and juvenile justice, as reported by the United Nations Children's Fund and the Special Representative;

(e) The process of legal reform under way in the Islamic Republic of Iran, and encourages the Government of Iran to continue this process;

(f) The re-establishment of the Majlis Human Rights Commission, and expresses the hope that it will complement the work carried out by the Islamic Human Rights Commission to enhance the human rights situation in the Islamic Republic of Iran;

(g) The public and serious debate, which is taking place within society and in the media, on the validity and utility of the imposition of public flogging and other harsh punishments;

2. *Notes*:

(a) The commitment made by the Government of the Islamic Republic of Iran to strengthen the respect for human rights in the country and to promote the rule of law;

(b) The assessment of the Special Representative that some improvements have taken place, inter alia, in such areas as women's education;

(c) The establishment of the National Committee for the Promotion of the Rights of Religious Minorities, and encourages the Government of Iran to expedite its launching;

3. *Expresses its concern*:

(a) At the continuing violations of human rights in the Islamic Republic of Iran;

(b) At the fact that, since 1996, no invitation has been extended by the Government of the Islamic Republic of Iran to the Special Representative to visit the country;

(c) At the continued deterioration of the situation with regard to freedom of opinion and expression, especially attacks against the freedom of the press, the imprisonment of journalists and Members of Parliament, the harsh sentences imposed on those who participated in the Berlin Conference or its preparation, and the harsh reactions to student demonstrations, including the imprisonment and mistreatment of those who participated;

[6] A/56/278.

(d) At the growing number of executions in the absence of respect for internationally recognized safeguards, and in particular deplores public and especially cruel executions, such as stoning;

(e) At the still unsatisfactory compliance with international standards in the administration of justice, the absence of due process of law and the use of national security laws to deny the rights of the individual;

(f) At the use of torture and other forms of cruel, inhuman and degrading punishment, in particular the practice of amputation and the growing number of cases of public flogging;

(g) At the systemic discrimination against women and girls in law and in practice, and at the recent rejection of legislation to raise the age of marriage for women;

(h) At the still-existing discrimination against persons belonging to minorities, in particular against Baha'is, Christians, Jews and Sunnis;

(i) At the ongoing lack of clarity concerning all the circumstances surrounding the suspicious deaths and killings of intellectuals and political activists in late 1998 and early 1999;

4. *Calls upon the Government of the Islamic Republic of Iran*:

(a) To abide by its freely undertaken obligations under the International Covenants on Human Rights[2] and under other international instruments on human rights and to continue its efforts to consolidate respect for human rights and the rule of law;

(b) To take further measures to promote full and equal enjoyment by women and girls of their human rights and to undertake major educational programmes to promote women's rights;

(c) To implement the recommendations made by the Committee on the Rights of the Child[7] as a matter of priority, as well as to consider ratifying International Labour Organization Convention No. 182 on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour;

(d) To eliminate all forms of discrimination based on religious grounds or against persons belonging to minorities and to address this matter in an open manner, with the full participation of the minorities themselves, as well as to implement fully the conclusions and recommendations of the Special Rapporteur on religious intolerance relating to the Baha'is and other minority groups until they are completely emancipated;

(e) To ensure full respect for freedom of expression;

(f) To end the imposition of the death penalty for crimes committed by persons under 18, and to ensure that capital punishment will not be imposed for crimes other than the most serious and will not be pronounced in disregard of the obligations it has assumed under the International Covenant on Civil and Political Rights[2] and the provisions of United Nations safeguards, and to provide the Special Representative with relevant statistics on this matter;

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[7] See CRC/C/15/Add.123.

(g) To take all necessary measures to end the use of torture and other forms of cruel, inhuman and degrading treatment and punishment, in particular the practices of amputation and public flogging, and to vigorously pursue penitentiary reform;

(h) To implement judicial reform speedily and completely, to guarantee the dignity of the individual, and to ensure the full application of due process of law and fair and transparent procedures by an independent and impartial judiciary, and in this context to ensure respect for the rights of the defence and the equity of verdicts in all instances, including for members of religious minority groups;

(i) To enact as soon as possible legislation to ensure that people are not punished for exercising their political freedoms;

(j) To invite the Special Representative to visit the country and cooperate fully with him, in particular so that he can, through direct contacts with all sectors of society, observe the evolution of the human rights situation in the country and assess future needs, including in the area of technical cooperation in the field of human rights;

(k) To give effect, in the near future, to its invitation to the Working Group on Enforced or Involuntary Disappearances to visit the Islamic Republic of Iran, as well as to consider extending invitations to other relevant thematic mechanisms to visit the country;

5. *Decides* to continue the examination of the situation of human rights in the Islamic Republic of Iran, paying particular attention to further developments, including the situation of the Baha'is and other minority groups, at its fifty-seventh session, under the agenda item entitled "Human rights questions", in the light of additional elements provided by the Commission on Human Rights.